

REMARKS

Claims 33, 38-40, 87, 89, 92, 101, 103-107 and 109-122 are currently pending.

I. Claim Amendments

Claims 33 and 120 have been amended to recite the identification of an HCV mutation in step (b) by “by detecting an amino acid 282 Ser to Thr mutation in the RNA polymerase region of the hepatitis C virus.” Support for this amendment is found, for example, at paragraphs [0065], [0067], [0446] and [0532] of the published specification, US 2005/0031588.

Claims 33, 118 and 120 have each been amended to recite the term “amino acid” before the recitation of “282 Ser” according to the Examiner’s suggestion. Serine 282 (“282 Ser”) is a residue in the highly conserved region of the RNA polymerase region for HCV. *See* paragraph [0065] of the published specification, US 2005/0031588. One of ordinary skill in the art would understand what is meant by Serine 282 and the corresponding nucleotide 8443 because these positions are highly conserved in HCV polymerases, as provided in the specification at paragraphs [0065] and [0067].

Claim 117 has been amended to correct a typographical error. No new matter is added by the instant amendments.

II. Examiner Interview

Representatives for Applicants thank Examiner Humphrey for the telephonic interview of January 12, 2010. The subject matter of the above amendments was discussed. Applicants thank the Examiner for her suggestions, which are incorporated in the claim amendments provided herein.

III. Conclusion

Entry of the above amendments and remarks, and allowance of the instant claims is respectfully requested. If the Examiner believes it would be useful to advance prosecution, the Examiner is invited to telephone the undersigned at (858) 314-1200.

No fee is believed to be due with this submission. However, the commissioner is hereby authorized to charge any additional required fees, or any credits, to Jones Day Deposit Account No. 50-3013 (referencing 417451-999064).

Respectfully submitted,

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